

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

LAWRENCE W. RANSTEAD,
Plaintiff,

Civil No. 05-1260-HU

v.

ORDER

JO ANNE B. BARNHART,
Commissioner of
Social Security,
Defendant.

MARSH, Judge.

Magistrate Judge Dennis James Hubel filed his Findings and Recommendation on January 22, 2007. The matter is now before me. See 28 U.S.C.

§ 636(b)(1)(B) and Fed. R. Civ P. 72(b). No objections have been timely filed. This relieves me of my obligation to give the factual findings de novo review. See §636(b)(1)(C); Simpson v. Lear Astronics Corp., 77 F.3d 1170, 1174-5 (9th Cir. 1996). Having reviewed the legal principles de novo, I find no error.

Accordingly, I ADOPT Magistrate Judge Hubel's Findings and

Recommendation #28. The Commissioner's motion (#25) for remand for further administrative proceedings is DENIED. This action is remanded to the Commissioner for the payment of benefits.

IT IS SO ORDERED.

DATED this 14 day of February, 2007.

/s/ Malcolm F. Marsh
Malcolm F. Marsh
United States District Judge